HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 16058 of 2006

Between:
Naga Lakshmi

..Petitioner

And

The Superintendent of Prohibition and Excise,
Khammam district,
Khammam and others.

..Respondents.

:ORDER:

Counsel for respondent Nos. 1 to 4 : Government Pleader for
Prohibition & Excise.

October 16, 2006:

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Per G.S. Singhvi, CJ

E-mail dated July 19, 2006 sent in the name of Ms. Naga Laxmi, a resident of Madhura Basthi (Post Office area), Kothagudem town of Khammam District with the complaint that a bar named Naveen Bar and Restaurant has been established in the locality in violation of the distance criteria of 100 metres was treated by one of us (the Chief Justice) as a writ petition in public interest.

In response to the court's notice, Shri P. Madhusudhan Rao, Superintendent, Prohibition and Excise, Kothagudem filed an affidavit dated 29-08-2006 wherein he categorically averred that the location of Naveen Bar and Restaurant does not violate the parameters specified in Rule 6 of the Andhra Pradesh Excise (Grant of License of Selling by Bar and Conditions of License) Rules, 2005 (for short 'the Rules').

With a view to cross-check the averments contained in the counter-affidavit of Shri P. Madhusudhan Rao, the Court appointed Shri S. Abdullah, Advocate as Commissioner. The Court Commissioner was directed to

visit the spot, make inspection, measure the distance of the bar from the school and hospitals or any place of worship and submit report.

In furtherance of the Court's order, Shri S.Abdullah, inspected the site and submitted report dated 09-09-2006, which confirm the averments contained in the affidavit of the Prohibition and Excise Superintendent that situation of Naveen Bar and Restaurant does not violate the distance criteria specified in Rule 6 of the Rules.

In view of the above, the writ petition is dismissed.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

16-10-2006
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